

7 APR 1962

MEMORANDUM FOR: Deputy Director (Support)

SUBJECT : Civil Service Status for CIA Employees

REFERENCES : (a) Your memorandum, same subject, dated 20 March 1962
(b) Memorandum of Conversation - "Report on Informal Discussion held with Civil Service Commission Officials on Proposed CSC-CIA Personnel Inter-change Agreement", dated 3 February 1960 - (Tab A)
(c) Memorandum of Conversation - "Report on Second Informal Discussion held with Civil Service Commission Officials on the Proposed CSC-CIA Personnel Inter-change Agreement", dated 15 May 1962 - (Tab B)

1. This memorandum is for your information.

2. In response to your referenced request we have reviewed the background information and current issues which bear on the matter of obtaining Civil Service Status for CIA employees. References (b) and (c) are reports on our discussions of the subject with representatives of the Civil Service Commission. Reference (b) presents the problem as it appeared in 1960. Reference (c) covers the factors which merit consideration now and shows a significant change, since 1960, in the Commission's attitude toward the primary issue of veterans preference.

3. From our review so far, I am doubtful that the Civil Service Commission could enter into an inter-change agreement with this Agency unless we agreed to give formal recognition to veterans preference in our consideration and selection of applicants. I am also convinced that the disadvantages to this Agency which would be inherent in the adoption of this policy would far outweigh any advantages we might gain through such an inter-change agreement. At best, we would be forced to go through the motions of elaborate procedures

which would not serve our purposes and which would only further complicate our difficult problems of recruitment. At worst, we could anticipate pressures to increase external controls over our recruitment activities and to extend the recognition of veterans preference into other areas of our administration of personnel. Tab C presents the minimum processing requirements which we would expect to be imposed on our selection procedures. The Commission would conduct periodic inspections to ensure our compliance with these requirements. The shift of the Commission's attitude on veterans preference between 1960 and the present suggests the extent to which these pressures could change by the interaction of circumstances far beyond our control. I can only conclude that we probably should discontinue efforts to resolve the matter through these negotiations and consider an approach which relates more directly to the nature of the basic issues involved.

4. The passage of time has produced a number of Agency careerists with substantial periods of dedicated Federal service whose abilities might be utilized better in other Agencies. How should the Government handle the transfer of such career assets to Agencies which are within the competitive Civil Service? I believe that the acceptability of these individuals should be decided, insofar as possible, through appraisals of their qualifications in relation to the needs of those Agencies. In this process, it would hardly be reasonable to deny the significance of their Agency service either because veterans preference had not been a factor in the processing of their initial employment or because this Agency cannot agree to adopt recruitment procedures which recognize veterans preference. The Atomic Energy Commission did not face this latter problem in arranging an inter-change agreement because there has never been a doubt of AEC's legal obligation to recognize veterans preference in managing its personnel. On the other hand, CIA has too much at stake on this issue to agree voluntarily to recognize veterans preference.

5. I intend to pursue this matter further in a personal discussion with the Executive Director of the Civil Service Commission. I want to explore fully whether the Civil Service Commission could agree to consider all of our career employees as eligible for competitive Civil Service status upon their having completed some substantial and agreed upon period of service with this Agency. However, if such a discussion should confirm my present tentative appraisal, we would have to recognize our inability to resolve this problem by negotiation. Then, I feel, our only recourse would be to attempt to establish such an arrangement by requesting the issuance of an appropriate Executive Order. We would certainly want to weigh the pros and cons of that approach very carefully before initiating such a request.

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Emmett D. ECHOES
Director of Personnel

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Next 13 Page(s) In Document Exempt

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